

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

ALLIANCE FOR HIPPOCRATIC MEDICINE,
on behalf of itself, its member organizations, their
members, and these members' patients;
**AMERICAN ASSOCIATION OF PRO-LIFE
OBSTETRICIANS AND GYNCOLOGISTS**,
on behalf of itself, its members, and their patients;
AMERICAN COLLEGE OF PEDIATRICIANS,
on behalf of itself, its members, and their patients;
**CHRISTIAN MEDICAL & DENTAL
ASSOCIATIONS**, on behalf of itself, its members
and their patients; **SHAUN JESTER, D.O.**, on
behalf of himself and his patients; **REGINA
FROST-CLARK, M.D.**, on behalf of herself and
her patients; **TYLER JOHNSON, D.O.**, on
behalf of himself and his patients; and **GEORGE
DELGADO, M.D.**, on behalf of himself and his
patients,

Plaintiffs,

v.

U.S. FOOD AND DRUG ADMINISTRATION;
ROBERT M. CALIFF, M.D., in his official
capacity as Commissioner of Food and Drugs, U.S.
Food and Drug Administration; **JANET
WOODCOCK, M.D.**, in her official capacity as
Principal Deputy Commissioner, U.S. Food and
Drug Administration; **PATRIZIA CAVAZZONI,
M.D.**, in her official capacity as Director, Center for
Drug Evaluation and Research, U.S. Food and Drug
Administration; **U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES**; and
XAVIER BECERRA, in his official capacity as
Secretary, U.S. Department of Health and Human
Services,

Defendants.

Case No. 2:22-cv-00223-z

**MOTION OF CONCERNED WOMEN FOR AMERICA FOR LEAVE TO FILE A
BRIEF AS *AMICUS CURIAE* IN SUPPORT OF PLAINTIFFS' COMPLAINT AND
MOTION FOR TEMPORARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 7 and Local Rule 83.10, movant Concerned Women for America (CWA) respectfully moves for the Court to waive the requirements of Local Rule 83.10(a) to obtain local counsel who resides or has a principal office located within 50 miles of the courthouse for the purpose of submitting an *amicus* brief in support of Plaintiff's Complaint and Motion for Temporary Injunction.

INTEREST OF MOVANT

In support of this Motion, we present for the Court's consideration that CWA is a national, 501(c)(3) non-profit organization with hundreds of thousands of members around the country, and thousands in the state of Texas. Through its grassroots organization, CWA encourages policies that strengthen women and families and advocates for the traditional virtues that are central to America's cultural health and welfare. Its members are people whose voices are often overlooked— everyday, middle-class American women whose views are not represented by the powerful elite.

One of CWA's seven core issues is the sanctity of every human life as intrinsically valuable and created in the image of God. As the nation's largest public policy organization for women, we represent the views and values of a significant group of women who want to protect life from conception to natural death, and who are also committed to the dignity and safety of all mothers, regardless of personal beliefs or circumstances. As such, CWA is deeply concerned about the significant practical public policy consequences of the outcome of this case.

FACTS SUPPORTING THE GRANT OF *AMICUS CURIAE STATUS*

Concerned Women for America has been involved in protecting women's interests against

U.S. Food and Drug Administration's (FDA) mishandling of relevant data when it comes to the approval of chemical abortion drugs for many years. *See Ass'n of Am. Physicians v. FDA*, 358 F. App'x 179, 181 (D.C. Cir. 2009), and *Ass'n of Am. Physicians & Surgeons, Inc. v. Food & Drug Admin.*, 539 F. Supp. 2d 4 (D.D.C. 2008), among others. We are confident CWA's unique perspective and experience as a public policy organization representing ordinary women can aid the Court in weighting the public interests at play as it considers the legal requirements for issuing a preliminary injunction. *See Louisiana v. Becerra*, 20 F.4th 260, 262 (5th Cir. 2021).

As a nonprofit organization CWA's resources are limited and our interest in this case is focused on presenting an *amicus* brief in support of Plaintiffs, so that local counsel would not be necessary beyond that.

CONCLUSION

For the foregoing reasons, Movant, Concerned Women for America respectfully requests that this Court enter an order waiving Local Rule 83.10(a)'s local counsel requirement for purposes of a motion for leave to file the accompanying *amicus curiae* brief.

Respectfully submitted, this 10th day of February 2023.

By: /s/ Mario Diaz
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CERTIFICATE OF SERVICE

I certify that this document will be served on all defendants via ECF and via first class United States mail and email to:

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On this 10th day of February 2023.

By: /s/ Mario Diaz
Mario Diaz